

DAVID P. MASTAGNI, ESQ. (SBN 57721)
DAVID E. MASTAGNI, ESQ. (SBN 204244)
WILL M. YAMADA, ESQ. (SBN 226669)
**MASTAGNI, HOLSTEDT, AMICK,
MILLER, JOHNSEN & UHRHAMMER**
A Professional Corporation
1912 "I" Street
Sacramento, California 95814
Telephone: (916) 446-4692
Facsimile: (916) 447-4614

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Case No.: **2:05-CV-00918-MCE_GGH**

JOSH ADLER, DAVID ALLEN, LEONA)
ALLEN, MARK ALLEN, SCHYLER)
BEATY, RICHARD CANALE, LINDA)
CLARK, MICHAEL DENTE, KAREN)
EXTRUM, RHETT GANN, ROBERT)
HEINDL, ROBERT HIGHT III, THERESA)
HIGHT, JESSICA HLEBAKOS, ROBERT)
HUMPHREY, REBECCA INMAN,)
DONNA KINGMAN-SILVA, BRYAN)
KUHLMANN, SHANNON LANEY,)
DEANNA LEWIS, RICK MARTINEZ,)
BRIAN MCGUCKIN, ALLEN)
MOLESWORTH, CHARLES OWENS,)
JEFF REAGAN, ROBERT REFER, KORY)
RODRIGUEZ, ALEX SCHUMACHER,)
BRODIE SEAGRAVE, CANDICE SILVA,)
CHRISTINE SNEAD, ROD ST. CLAIR,)
MARK TAPPEN, PHILLIP WILLIAMS,)
SCOTT WILLSON acting for themselves)
and others similarly situated,)

Plaintiffs,

v.

CITY OF SOUTH LAKE TAHOE,

Defendant.

**STIPULATION AND ORDER RE
JOINDER OF ADDITIONAL
PLAINTIFF**

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IT IS HEREBY STIPULATED by and between the parties to the above-entitled action, by their respective counsel that, Greg Evans may be joined as an additional party to the above entitled action.

1. On May 10, 2005 Plaintiffs filed a complaint alleging violations of the Fair Labor Standards Act against the Defendant, City of South Lake Tahoe.
2. On July 7, 2005 the Defendant filed an answer to the complaint.
3. On July 22, 2005 a Joint Status Conference Statement was filed with this court by the Plaintiffs and Defendant.
4. On September 28, 2005 this Court issued a Pretrial (Status) Scheduling Order, stating no additional joinder of parties shall be allowed, without leave of court.
5. In early February, 2005, Greg Evans, contacted Plaintiffs' law offices regarding opting-into the lawsuit as a Plaintiff, as he was unavailable, prior to that time to make an informed decision as to this matter. Evans has now made an informed decision to opt-in to the lawsuit and has signed a document verifying his decision to opt-into this litigation.
6. On February 8, 2006 Plaintiffs' counsel contacted Defendant's counsel regarding whether Defendant would agree to add Mr. Evans into this action without noticed motion.
7. On February 17, 2006 Defendant agreed to stipulate to permit Mr. Evans to opt into the this litigation as a Plaintiff without noticed motion.
8. The parties jointly request leave of court to add Mr. Evans as a Plaintiff to the above entitled action on the basis of his attached opt-in. (Copy of Consent to Be Included as an Individual Plaintiff, attached hereto, as Exhibit "A").

**MASTAGNI, HOLSTEDT, AMICK,
MILLER, JOHNSEN & UHRHAMMER**

Dated: March _____, 2006

By: _____
DAVID E. MASTAGNI,
Attorney for Plaintiffs

Dated: March _____, 2006

By: _____
CYNTHIA O'NEILL
Attorney for Defendant

~~PROPOSED~~ ORDER

The Stipulation and [Proposed] Order is hereby adopted by the Court for the case and the Plaintiffs are granted leave of court to add Mr. Evans as an additional party on the basis of his opt-in. The Parties Are Ordered to Comply with this Order.

Dated: March 6, 2006

A handwritten signature in blue ink, appearing to read "Morrison C. England, Jr.", is written over a horizontal line.

MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE